

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MYRON G. BRANDON,

Petitioner,

V.

SCOTT FRAKES,

Respondent.

No. C10-5687 RBL/KLS

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. Karen L.

Strombom, United States Magistrate Judge, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition (Dkt. 1) is **TRANSFERRED TO THE NINTH CIRCUIT AS A SECOND OR SUCCESSIVE PETITION.**
- (3) The clerk is directed to send copies of this Order to Petitioner and to the Hon. Karen L. Strombom **AND TO ADMINISTRATIVELY CLOSE THIS FILE.**

DATED this 29th day of October, 2009.

Ronald B. Lightner

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE